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EXPERT POINTS OF TRADE ANNOYANCES

Consular Regulations and Local Customs Must Be Ob-
served by Exporters—How Latin America
Is Affected.

By V. GONZALES.

Without any desire to criticize, but
only for the purpose of exposing facts
in order to secure relief, the following
remarks are offered regarding what can
be called a nuisance in our trade with
Latin America:

Consular and other Latin American
customs regulations, because of their
interminable variety and continuous
changes as well as because of their di-
versity, have become a source of perma-
nent annoyance.

Consular invoices were primarily in-
tended to assist governments in com-
piling statistics and checking imports
for revenue reasons. But gradually
they have been diverted from their origi-
nal purpose and have become an in-
tegral part of export documentation to an
extent that evidence of shipment, and
therefore theoretical possession of goods,
is not complete without them.

Commerce can afford to add one or
more papers to complete or perfect re-
cords of any and all transactions if only
the same procedure were to be followed
for shipments to all countries.

This is not the case. Every other
country has different regulations, which
are changed, amplified or extended al-
most continually. Every country has fur-
ther restrictions and formalities until the
whole matter is unbearable.

No two of the twenty countries have
the same regulations regarding bills of
lading, consular invoices, marks, values,
penalties and others. No two of them
have the same charges, office hours or
other requirements. They are all differ-
ent in essence or in form.

No Uniformity Yet.

As early as 1890, that is, twenty-nine
years ago, when the first Pan American
Congress met in Washington, it was re-
solved to recommend to all the Latin
American countries the adoption of the
Pan American Union the study of a plan
to make all these regulations uniform.

Since then and during these twenty-
nine years there has not been a meeting
of business men gathered for the purpose
of discussing Latin American trade that
has not again and again recommended
the same: the uniformity of customs and
consular trade regulations.

It seems that this is the most unfor-
tunate question. No one can explain
why nothing is done to relieve the situa-
tion after so much has been said, writ-
ten, recommended and resolved. After
30 years we find conditions worse than
ever.

An exporter to-day has to carry an
encyclopedia in his head in order to
know what he can and what he cannot
do. He has to know the details of the
regulations in the different countries;
the tariff peculiarities of each coun-
try; with their more or less complicated
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Importation of samples of articles which
are not intended as such. But this can
be duly regulated everywhere on a simi-
lar pattern. Social and ethical condi-
tions are almost the same in the twenty
countries and the experience of all com-
bined may produce a very reasonable
and intelligent manner of treating them
in all.

Need of Advertising.

Advertising is more or less handicapped
in some of the twenty countries. The
circulating of catalogues, pamphlets,
posters, etc., should be encouraged
rather than restricted everywhere. Some
producers can today live if it is not
properly supported by advertising,
which is perhaps the finest and most
subtle form of valuable and agreeable
instruction.

These comments are not new. As said
before, some are as old as thirty years.
They are repeated with the idea that
perhaps this gathering of practical men
something more efficient than has
been done might be done now.

All the recommendations and resolu-
tions of the different Pan American con-
ferences, while tending to the same end
—the betterment of commercial relations
between the United States and its
neighboring countries—have too long a
course to follow to achieve results.

It might be better to proceed at this
time in a different way. Instead of ap-
pealing to the governments through their
official channels, via the State Department
and the Ministry of Foreign Affairs and
Finance, etc., why not appeal to them
through the consular channels? Some
few men to visit those countries on be-
half of the commercial organizations of
this country. Let them appeal to the
business men in Latin America and, with
their support, appeal to each Government
requesting the adoption of what is asked
for. They are all reasonable, they are
all interested in the welfare of their
countries. They can see that no under-
standing is sought for, no business in-
volvement, and that it is just as much
in their interest as to improve com-
merce.

And let them stay there until it is
done. Otherwise we will continue to talk,
write, recommend and resolve without
any other result than the poor realiza-
tion of having tried again in vain.

Fee for Certification.

The charge of a small fee for certifi-
cation of consular invoices is perfectly
reasonable. The United States also
makes that charge. But when a regu-
lar percentage is charged, as high as 3
per cent—it is nothing less than an
import duty collectible at the port of
shipment, and which, as a rule, adds
to the amount of the invoice, even if
by shippers usually on credit. Buyers
pay all these charges in the end, whether
as a specific expense charged on the
invoice or as an increase in the price,
but that does not detract from the fact
that the American exporter is advancing
other than the cost of goods and natural
expenses.

However, this would not matter, if
only such charges were all alike. But,
as mentioned above, there are nine dif-
ferent forms of collecting them.

A few other countries require decla-
ration of shippers regarding the value
of goods, as do Canada, Australia and
New Zealand. But such declaration
calls for no formalities and no fees
and does not call for an advanced
knowledge of customs tariffs or regu-
lations on the part of the shipper. It
is as a warning against the dumping
of goods at lower than market prices
which those countries wish to avoid.

We cannot very well ask for the
abolition of all these formalities, as we
also have them. All goods shipped to
the United States must bring a consular
invoice signed before the American
consular officer at the place of ship-
ment, and we also have some incom-
prehensible red tape in the matter of regu-
lations on imports.

We can, however, ask for certain uni-
formity in such regulations, as they all
tend to the same purpose.

Consular officials are supposed to
know thoroughly the customs regula-
tions, and should advise shippers, warn-
ing them of all possible liabilities fall-
ing on them because of unwilling viola-
tions of the regulations. But, as a rule,
consular documents are made after the
goods are practically on board, and cer-
tification is required by all shippers at
the same time, giving the consul and his
staff barely time for affixing seals and
signatures. It is enough to see a con-
sular invoice in small days to verify this
statement.

To fill the need of governments for
some basis of checking imports and as-
sisting the consular officer at the place
of shipment, the consular invoice should
be sufficient for the shipper to sign
a consular invoice, sending a copy,
certified by the consul, to the consignee.
Together with the bill of lading, it
should furnish the consul with a copy
of the bill of lading.

Descriptions Must Be Simple.

Whatever these documents say, the
consul cannot verify the truth nor what
is written on them serve as basis for
checking the goods. The descriptions in
Latin America. All goods are
examined at the time of their clearing
and discrepancies can be penalized at
the expense of the importer. Perhaps the
fault, excepting, of course, honest mis-
takes which can be proved.

Another matter worth mentioning is
the diversity of taxes and regulations re-
garding travelling agents or salesmen.

In no two countries are these taxes
and regulations alike. Some countries
have a tax on the value of the goods,
others on the weight, and others on the
number of each (or some) of the
merchandise. The tax, in some
cases, is as high as 10 per cent. It is
prohibitive for all except the few privileged
agents who enjoy this advantage
against the smaller ones.

The principle of taxation seems to be
that the travellers "do business," and
that were they not taxed they would
have an advantage over the domestic
concerns who pay income tax and other
taxes. Should this reason be accepted
the same should apply to all concerns
"doing business" by mail; they are not
taxed and still they "do business."

It is confusing the travelling salesman
with the pedler. The distinction, how-
ever, is evident. The travelling agent
retically, he is not a pedler, and he
takes orders and is no more than what
can be called a "living letter."

They do not sell merchandise except
to importers or to the public directly. So
long as they do not carry merchandise they
are not merchants; they are only agents
for a foreign merchant, and the tax on
the tax could be by convincing enough
to sell by mail only.

Every country has a right to impose
its taxes, and the right of so doing in
this case is not questioned.

But again we have the annoying
diversity of them and their unreason-
ableness in some countries, and the
absence of regulations to which they are
subject.

Duties on Samples.

Finally the question of duties and
regulations on samples and other means
of publicity is another annoyance that
stands in the way of a smooth and
easy commerce. Regulations of
samples and advertising matter, with
or without value, are not alike in
scarcely two countries out of the twenty.
Some countries allow the importation
of travellers' samples in bond; others
collect duty and refund a part of it if
reported within a certain time; others
treat them as a duty.

There is no question as to the right
of each and every country of establish-
ing all kinds of regulations to suit
their own needs. The country, however,
that is all naturally interested
in advancing their trade at large and
inducing the settling of more people and
their commerce in the country, has the
best inducement, and all that helps
trade is or may be a factor in the
inducement.